

## PINNISI &amp; ANDERSON, LLP

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October 18, 2006

Hon. Michael A. Telesca  
United States District Judge  
Western District of New York  
2720 United States Courthouse  
100 State Street  
Rochester, NY 14614-1387

Re: Corning Natural Gas Corporation Litigation  
Civil Action No. 06-CV-6507 T(P)

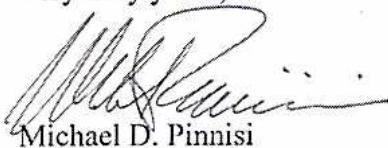
Your Honor:

This firm represents Plaintiffs in the above-referenced case. The parties currently are under order to appear for a conference at 10:00 a.m. on October 20, 2006 to consider Plaintiffs' pending motions for injunctive relief. Plaintiffs write to withdraw those motions, and to request that the conference be rescheduled to November 3, 2006. Defendant Corning Natural Gas Corporation has consented to these requests, without waiver of any other rights it may have in this litigation. Corning specifically denies that its Chairman / CEO bought or offered to buy votes in connection with the proposed merger.

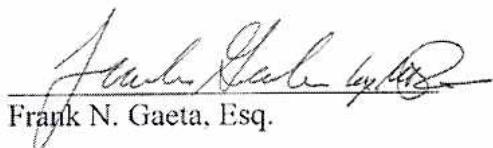
Plaintiffs withdraw their pending motions because the merger vote at issue in the case resulted in a certified vote rejecting the proposed merger, rendering moot the application for an injunction. The parties disagree regarding whether the case has continuing vitality absent the claim for injunctive relief. They ask that this Court schedule a status conference to commence at 11:00 a.m. on November 3, 2006 in the event that the case is not resolved by negotiation before then.

Thank you for your consideration of these requests.

Very truly yours,

  
Michael D. Pinnisi

AGREED FOR CORNING:

  
Frank N. Gaeta, Esq.

SO ORDERED:

S/MICHAEL A. TELESCA

United States District Judge

DATED: 10/19/06